

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 25, 2014

MR BRUCE DAHLGREN
PLANT MANAGER
BUILDING MATERIALS CORPORATION OF AMERICA
2600 SINGLETON BLVD
DALLAS TX 75212-3738

Re: Permit Renewal
Permit Number: 7711A
Renewal Date: November 25, 2024
Building Materials Corporation of America
Asphalt Roofing Manufacturing Facility
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN602717464
Account Number: DB-0378-S

Dear Mr. Dahlgren:

This is in response to your application Form PI-1R (General Application for Air Permit Renewals) concerning the proposed renewal of Permit Number 7711A. We understand that you request that the Line 3 Stabilizer Thermal Fluid Heater (Emission Point Number [EPN] HTR6) emission rates be updated to reflect the actual heat input rate of 3.97 MMBtu/hr. We also understand that you request to update emissions for several sources to correct rounding discrepancies. In addition we understand that you request the special condition referencing the transfer of filler and backing material be updated to better reflect operational practices. Also, this will acknowledge that your application for the above-referenced renewal is technically complete as of October 14, 2014.

In accordance with Title 30 Texas Administrative Code Section 116.314(a), and based on our review, Permit Number 7711A is hereby renewed. Enclosed are new general conditions (permit face), special conditions, and a maximum allowable emission rates table. We appreciate your careful review of the special conditions of the permit and assuring that all requirements are consistently met. This permit will be in effect for ten years from the date of approval (Commission's final decision). If this permit is appealed and the permittee does not commence any action authorized by this permit during judicial review, the term will not begin until judicial review is concluded.

You may file a **motion to overturn** with the Chief Clerk. A motion to overturn is a request for the commission to review the executive director's decision. Any motion must explain why the commission should review the executive director's decision. According to 30 TAC Section 50.139, an action by the executive director is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

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A motion to overturn must be received by the Chief Clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the Chief Clerk in person, or by mail to the Chief Clerk's address on the attached mailing list. On the same day the motion is transmitted to the Chief Clerk, please provide copies to the applicant, the executive director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the executive director's approval. According to Texas Health and Safety Code Section 382.032, a person affected by the executive director's approval must file a petition appealing the executive director's approval in Travis County district court within 30 days after the **effective date of the approval**. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

You are reminded that these facilities must be in compliance with all rules and regulations of the Texas Commission on Environmental Quality (TCEQ) and of the U.S. Environmental Protection Agency at all times.

If you need further information or have any questions, please contact Ms. Sarah Fuchs at (512) 239-1346 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

Michael Wilson, P.E., Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

MPW/sf

Enclosures

cc: Latha Kambham, Ph.D., Ms., Trinity Consultants, Dallas
Section Manager, Air Pollution Control Program, City of Dallas Environmental and Health
Services, Dallas
Air Section Manager, Region 4 - Fort Worth

Project Number: 209744